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IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF UTAH

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UNITED STATES OF AMERICA,

Plaintiff,

vs.

COLIN ANDREW SHAPARD,

Defendant.

Case No. 2:22mj145 JCB

COMPLAINT SEALED

Judge Jared C. Bennett

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Before the Honorable Jared C. Bennett, United States Magistrate Judge for the  
District of Utah, appeared the undersigned, who on oath deposes and says:

**COUNT 1**

**21 U.S.C. § 841(a)(1)**

(Distribution of a Controlled Substance that Resulted in Serious Bodily Injury)

On or about February 1, 2022, in the District of Utah and elsewhere,

COLIN ANDREW SHAPARD,

the defendant herein, did knowingly and intentionally distribute Fentanyl (chemical  
name: N-phenyl-N- [ 1- ( 2-phenylethyl ) -4-piperidinyl ] propanamide), a Schedule II

controlled substance within the meaning of 21 U.S.C. § 812; the use of which resulted in serious bodily injury to Person 1 on or about February 10, 2022, and did aid and abet therein, all in violation of 21 U.S.C. § 841(a)(1) and 18 U.S.C. § 2, and punishable pursuant to 21 U.S.C. § 841(b)(1)(C).

**COUNT 2**

**21 U.S.C. § 841(a)(1)**  
(Distribution of a Controlled Substance)

On or about December 6, 2021, in the District of Utah and elsewhere,

COLIN ANDREW SHAPARD,

the defendant herein, did knowingly and intentionally distribute Fentanyl (chemical name: N-phenyl-N- [ 1- ( 2-phenylethyl ) -4-piperidinyl ] propanamide), a Schedule II controlled substance within the meaning of 21 U.S.C. § 812; and did aid and abet therein, all in violation of 21 U.S.C. § 841(a)(1) and 18 U.S.C. § 2, and punishable pursuant to 21 U.S.C. § 841(b)(1)(C).

**COUNT 3**

**21 U.S.C. § 841(a)(1)**  
(Distribution of a Controlled Substance)

On or about December 17, 2021, in the District of Utah and elsewhere,

COLIN ANDREW SHAPARD,

the defendant herein, did knowingly and intentionally distribute Fentanyl (chemical name: N-phenyl-N- [ 1- ( 2-phenylethyl ) -4-piperidinyl ] propanamide), a Schedule II controlled substance within the meaning of 21 U.S.C. § 812; and did aid and abet therein, all in violation of 21 U.S.C. § 841(a)(1) and 18 U.S.C. § 2, and punishable pursuant to 21

U.S.C. § 841(b)(1)(C).

**COUNT 4**

**21 U.S.C. § 841(a)(1)**  
(Distribution of a Controlled Substance)

On or about January 31, 2022, in the District of Utah and elsewhere,

COLIN ANDREW SHAPARD,

the defendant herein, did knowingly and intentionally distribute Fentanyl (chemical name: N-phenyl-N- [ 1- ( 2-phenylethyl ) -4-piperidinyl ] propanamide), a Schedule II controlled substance within the meaning of 21 U.S.C. § 812; and did aid and abet therein, all in violation of 21 U.S.C. § 841(a)(1) and 18 U.S.C. § 2, and punishable pursuant to 21 U.S.C. § 841(b)(1)(C).

**COUNT 5**

**21 U.S.C. § 841(a)(1)**  
(Distribution of a Controlled Substance)

On or about February 14, 2022, in the District of Utah and elsewhere,

COLIN ANDREW SHAPARD,

the defendant herein, did knowingly and intentionally distribute Fentanyl (chemical name: N-phenyl-N- [ 1- ( 2-phenylethyl ) -4-piperidinyl ] propanamide), a Schedule II controlled substance within the meaning of 21 U.S.C. § 812; and did aid and abet therein, all in violation of 21 U.S.C. § 841(a)(1) and 18 U.S.C. § 2, and punishable pursuant to 21 U.S.C. § 841(b)(1)(C).

**COUNT 6**

**21 U.S.C. § 841(a)(1)**  
(Distribution of a Controlled Substance)

On or about February 15, 2022, in the District of Utah and elsewhere,

COLIN ANDREW SHAPARD,

the defendant herein, did knowingly and intentionally distribute Fentanyl (chemical name: N-phenyl-N- [ 1- ( 2-phenylethyl ) -4-piperidinyl ] propanamide), a Schedule II controlled substance within the meaning of 21 U.S.C. § 812; and did aid and abet therein, all in violation of 21 U.S.C. § 841(a)(1) and 18 U.S.C. § 2, and punishable pursuant to 21 U.S.C. § 841(b)(1)(C).

This complaint is made on the basis of investigation consisting of the following:

1. I, Arthur Boxall, am a Task Force Officer (TFO) with the Drug Enforcement Administration (DEA) and have been since January 2018. I am a sworn police officer with the Park City Police Department. I am currently assigned to Task Force Enforcement Group 3 in the DEA Salt Lake City District Office (SLCDO). I have been deputized as a TFO pursuant to the authority granted to the Attorney General by Public Law 99-570, Section 1869, and delegated to the Administrator of the DEA, pursuant to Title 28, Code of Federal Regulations, subpart R, Section 0.100, et. Seq. I attended and received training and certification through the Utah Peace Officer Standards and Training Academy (POST). I graduated POST in April 2012 and began my law enforcement career with the Park City Police Department in June 2012. I am currently assigned to the

Investigations Division within that department, which has offered me a variety of training and experience. My experience includes traffic enforcement, alcohol enforcement, drug enforcement, highway drug interdiction and other investigation-related assignments within Park City and Summit County. I continue to enhance my knowledge of law enforcement principles and practices through training. I also continue to receive a minimum of 40 hours of training per year. I have attended multiple drug interdiction trainings, which have focused on identifying behavior indicative of drug trafficking and distribution. I have conducted and assisted with numerous investigations relating to the possession and distribution of controlled substances (both State and Federal violations) during my career.

***I. Elements of the Offenses***

2. I have been informed that the elements for the counts alleged herein are as follows:

**A. Distribution of a Controlled Substance Resulting in Serious Bodily Injury**

- a. First: the defendant knowingly or intentionally distributed a controlled substance as charged;
- b. Second: the substance was in fact Fentanyl; and
- c. Third: serious bodily injury<sup>1</sup> resulted from use of the Fentanyl.

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<sup>1</sup> *Serious Bodily Injury* is defined in 21 U.S.C. § 802(25) as bodily injury that involves substantial risk of death, among other types of injury.

**B. Distribution of a Controlled Substance**

- a. First: the defendant knowingly or intentionally distributed a controlled substance as charged; and
- b. Second: the substance was in fact Fentanyl.

3. I am trained in the enforcement of laws concerning controlled substances as found in Title 21, United States Code (USC), and have participated in numerous narcotics investigations involving the illegal possession, distribution, and/or manufacture of controlled substances. This experience has afforded me the opportunity to observe and investigate methods, schemes and operations used by dangerous drug traffickers. I am familiar with, and have participated in, all the normal methods of investigation, including but not limited to, visual and electronic surveillance, questioning of witnesses, the use of search and arrest warrants, the use of informants and the utilization of undercover officers.

4. I have participated in the investigation detailed in this affidavit. I am familiar with all aspects of this investigation. I make this affidavit based upon my personal knowledge derived from my participation in this investigation, as well as conclusions from conversations that I have had with other Special Agents and Task Force Officers of the DEA and state and local investigators familiar with narcotics trafficking. I am not submitting every detail of this investigation, only the essential facts that support the charges in this Complaint.

5. This investigation used a DEA Confidential Source (the CS). The CS was directed

and paid by DEA to assist in this investigation. The CS is not facing any state or federal charges and is cooperating for monetary considerations.

## ***II. Evidence from a Source of Information***

6. In November 2021, TFO Tyler Parker and I interviewed a Source of Information (SOI) and a Confidential Source (CS) in Park City, Utah. The SOI (Person 1) admitted to agents that he/she was a "middleman" and that he/she connects others to his/her source of supply. The SOI indicated that his/her source of supply was Colin SHAPARD.

7. The SOI reported that SHAPARD receives his drug supply from foreign-based pharmaceutical companies. The SOI reported that SHAPARD ships drugs through the United Postal Service, UPS, and Uber Eats to the SOI's residence.

8. The SOI claimed that he/she delivers the product immediately after receiving the product from SHAPARD and that he/she does not hold onto product. The SOI indicated that the shipments arrive approximately two weeks after he/she orders the product from SHAPARD, depending on shipping.

9. The SOI claimed that SHAPARD used his own name as the sender on the shipments sent to the SOI and that SHAPARD had sent him/her tracking numbers prior to delivery. The SOI reported that SHAPARD is going to college in Las Vegas, Nevada.

10. The SOI reported that an Oxycodone (M 30) pill from SHAPARD costs between \$30.00-\$45.00 per pill. According to the SOI, the price drops to \$14.00 per pill on orders of 100 and \$9.00 per pill on orders of 1000. The SOI claimed that SHAPARD has promised him/her kickbacks if he/she sells drugs for SHAPARD.

11. Agents asked the SOI to estimate how many Oxycodone M30 pills he/she has received from SHAPARD. The SOI estimated that he/she received Oxycodone M30 pills from SHAPARD every two weeks for the last 2-3 months. The SOI claimed that most shipments consisted of 10-30 pills. The SOI reported that SHAPARD typically sends the Oxycodone M30 pills in used supplement bottles or hides them in bottles of workout powder.

12. The SOI and the CS stated that SHAPARD uses two encrypted cellular communication applications, Wickr and Snapchat, to further conduct his drug distribution.

13. On November 30, 2021, TFO Parker executed a Utah state search warrant on multiple cellular telephones which included an iPhone belonging to the SOI.

14. The analysis of the SOI's cellular phone showed frequent SMS/chat/text messaging contact with SHAPARD, beginning on 12/23/20 and continuing until 11/30/21. During the messages with SHAPARD, there were numerous chats about controlled substances.

15. During the text communications between SHAPARD and the SOI, words like "oxy" and "M30" were used, which agents believe to be references to Oxycodone 30mg pills bearing imprints of "M" and "30" on the pills. From my training and experience, I know that so-called "M30s" are highly sought after by opioid addicts. I also know, based upon the information provided below, that SHAPARD distributed Fentanyl-laced fake oxycodone pills, made to look like M30s.



***III. Evidence from Seized Parcels Sent by SHAPARD—First Parcel [Count 2]***

16. On December 8, 2021, I was notified by USPS Postal Inspector Megan Moore that the Park City Post Office took possession of a priority mail envelope that had arrived at their facility. The envelope listed the sender as "Mack Cavender" with an address on UNLV's campus in Las Vegas, Nevada. The envelope listed the recipient as one of SHAPARD's associates who is a resident of Park City, Utah (Person 1). The tracking number on the USPS envelope ended in xx601904. The package was sent on December 6, 2021, from the UNLV University Post Office Zip Code 89119.

17. On December 10, 2021, USPS Postal Inspector Moore sent me two photographs captured by the University Post Office security camera system of the individual that sent the seized USPS package. Here is one photo:



The CS positively identified the individual in the security camera footage as Colin SHAPARD and explained that the CS knew SHAPARD to be a college student at UNLV in Las Vegas. I also recognized SHAPARD based upon my familiarity with him gained

through this investigation and a prior investigation.

18. On December 10, 2021, a federal search warrant [Court Case# 2:21mj932JCB] was authorized to search the USPS envelope (Tracking number ending in xx601904) sent by SHAPARD on December 6, 2021. Here is the parcel:



19. On December 13, 2021, Postal Inspector Megan Moore executed the search warrant and searched the contents of the USPS envelope, as witnessed by TFO Tyler Parker and me. We found 35 blue pills with "M" imprinted on one side and "30" on the other side. These imprinted markings are indicative of Oxycodone 30mg pills. Here are the pills:



20. I took custody of the 35 pills from Postal Inspector Moore and processed them as evidence at the DEA SLCDO. The pills were tested by me; the pills presumptively tested positive for fentanyl.

#### ***IV. Second Parcel [Count 3]***

21. On December 20, 2021, I was notified by USPS Postal Inspector Megan Moore that a Tooele, Utah, U.S. Post Office took possession of a priority mail envelope that had arrived at their facility. The envelope listed the sender as Colin Shapard with an address on UNLV's campus in Las Vegas, Nevada. The envelope listed the recipient as an associate of SHAPARD who resides in Tooele, Utah and who is known to law enforcement. The tracking number on the USPS envelope ended in xx611879. The package was sent on December 17, 2021, from the UNLV University Post Office in Las Vegas, Nevada 89119. Here is the parcel:



22. On December 30, 2021, USPS Postal Inspector Moore sent me 10 photographs captured by the University Post Office security camera system of the individual that sent the seized USPS package and the USPS transaction receipt. I positively identified the

individual in the security camera footage as Colin SHAPARD.<sup>2</sup> Here is one of the photographs:



23. Earlier, on December 21, 2021, a federal search warrant [Court Case# 2:21mj959JCB] was authorized to search the USPS envelope (Tracking number ending in xx611879) sent by SHAPARD on December 17, 2021.

24. On December 22, 2021, Postal Inspector Megan Moore executed the search warrant and searched the contents of the USPS envelope, as witnessed by TFO Jared Angell and me. Inside the USPS envelope, agents observed a single blister pack of pills and a vitamin B1 pill bottle containing a variety of pills. The blister pack consisted of 10 unknown orange pills. The blister pack labeled the pills as Tapentadol 100 MG tablets. The vitamin B1 pill bottle contained 25 blue pills with "M" imprinted on one side and

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<sup>2</sup> I first became aware of SHAPARD during an investigation in 2016.

"30" imprinted on the other side. These imprinted markings are indicative of Oxycodone 30mg pills. These blue pills presumptively tested positive for fentanyl. Here are the Fentanyl-laced fake oxycodone pills:



25. The pill bottle also held 100 green, unknown pills with "S," "90," and "3" imprinted on one side. These imprinted markings are indicative of Alprazolam (Xanax) 2 mg pills. The bottle also contained 2 orange/white, unknown pill capsules. I took custody of evidence from Postal inspector Moore, transported it to the SLCDO, and processed it into evidence.

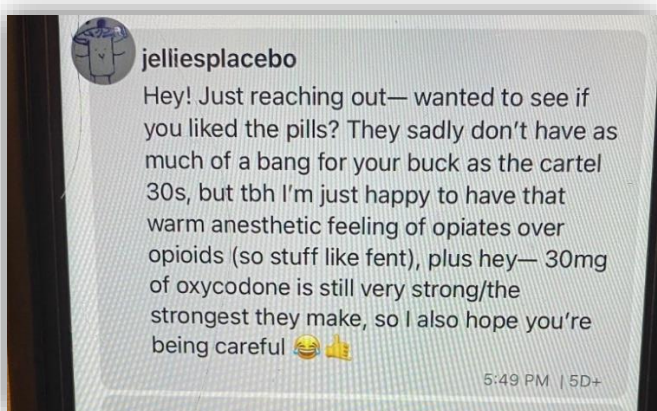
***V. Undercover Agent Purchases Fentanyl-Laced Fake Oxycodone [Count 4]***

26. In December 2021, a DEA undercover agent was introduced to SHAPARD utilizing the Wickr encrypted communication application; SHAPARD used Wickr the account username 'jelliesplacebo'.

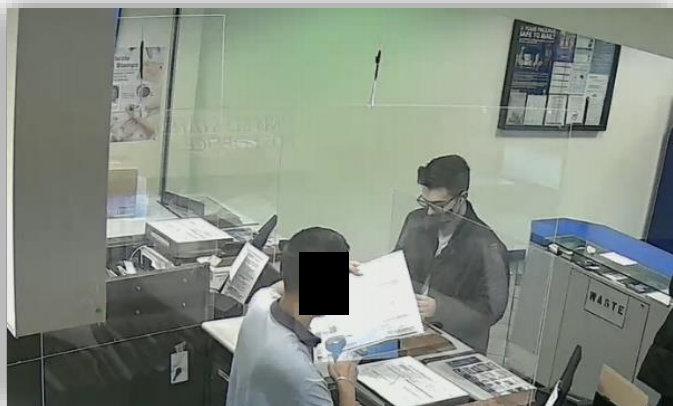
27. The undercover agent requested *blues*—a street term for oxycodone 30mg



tablets—from SHAPARD. For blues, SHAPARD charged a premium. He represented that his pills were legitimate pharmaceutical drugs, later claiming “[t]hey’re a bit pricy as they aren’t presses but they are from Canada so thanks to free healthcare they aren’t crazy expensive.” He then followed-up with a message that further claimed his pills contained oxycodone, not Fentanyl. SHAPARD further claimed his pills were not as strong as cartel pills, but warned the undercover agent to be careful because 30mg of oxycodone was the strongest pill they [the pharmaceutical companies] make:

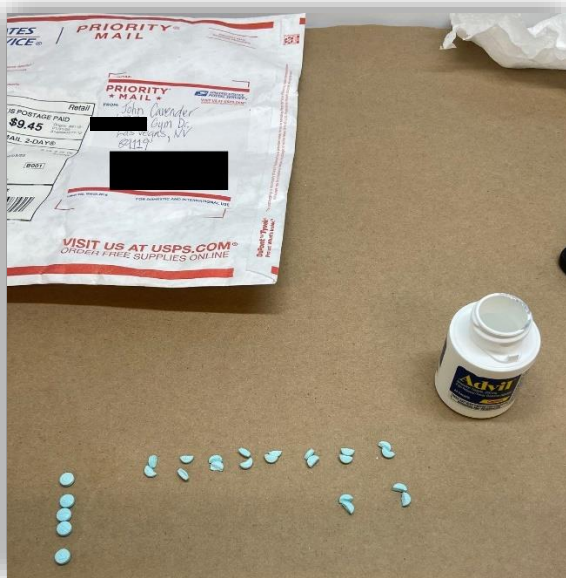


28. On January 31, 2022, USPS Post Office cameras showed SHAPARD mailing the undercover agent a parcel containing the requested drugs, as captured here:



29. On February 4, 2022, USPS Postal Inspector Jared Dimick notified me that the USPS envelope (Tracking number ending in xx628774) sent by SHAPARD to the undercover agent had arrived at the United States Postal Office. On this same date, I met with Postal Inspector Dimick and took custody of the USPS envelope.

30. The USPS envelope was addressed from "John Cavender" with an address on UNLV's campus in Las Vegas, Nevada. It was addressed to the undercover agent at an undercover mailing address in Salt Lake City. I transported the USPS envelope to the DEA SLCDO. I opened the USPS envelope at the SLCDO, as witnessed by Special Agent Eric Breyer. I found a sealed Advil box inside the USPS envelope that contained a single Advil pill bottle. Inside the Advil pill bottle, I located five whole and ten halved blue pills with "M" imprinted on one side and "30" imprinted on the other side, for a total of approximately fifteen blue pills, as shown here:



31. The imprinted "M" and "30" markings found on the blue pills are typically

indicative of Oxycodone 30mg pills. The fifteen pills presumptively tested positive for fentanyl. I also located nine yellow-colored capsules inside the Advil bottle. No preliminary tests were performed on yellow-colored capsules. I processed these pills into evidence for further analysis.

## ***VI. Overdose [Count 1]***

32. On February 10, 2022, Park City paramedics and the Summit County Sheriff's Office responded to a medical call of an unresponsive male at a residence in Park City, Utah. The first responders found an 18-year-old male victim (Person 1) unresponsive with no (or a very faint) pulse. CPR was performed on the victim. Narcan<sup>3</sup> was administered to the victim, who then became alert and vomited. The victim was transported to the hospital for additional care.

33. On February 11, 2022, TFO Parker and I met with the victim at the hospital and interviewed him. The victim stated he had ingested Oxycodone M30 pills that he ordered from Colin SHAPARD; he explained that the pills were shipped through the mail. The male victim indicated he ingested the pills in an attempt to take his life.

34. The male signed a consent to search form for his cellular telephone. The victim informed TFO Parker and me that he exchanged cellular text messages with SHAPARD to facilitate the drug transaction for the M30 pills.

35. On February 14, 2022, I analyzed the victim's phone and found a series of cellular

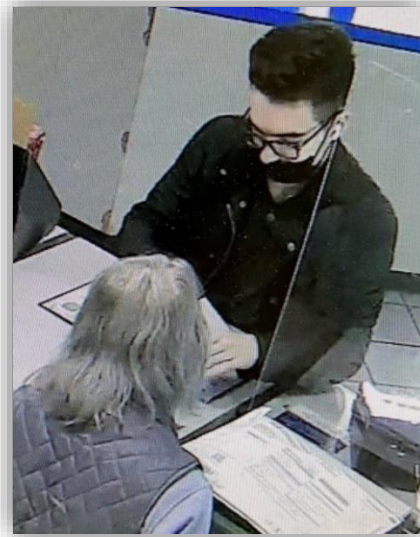
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<sup>3</sup> NARCAN Nasal Spray (Nalaxone HCL) is a medicine used for the treatment of a known or suspected opioid overdose emergency. See Narcan.com.



text messages between the victim and SHAPARD. The conversation between SHAPARD and the victim revealed that SHAPARD sent the victim what were purported to be Oxycodone pills prior to the victim ingesting the pills on February 10, 2022.

36. SHAPARD sent the victim the USPS tracking number ending in xx9604US via text message. USPS tracking records showed that SHAPARD sent the parcel on February 1, 2022, and it was delivered to the victim on February 3, 2022. Post Office surveillance showed SHAPARD mailing the parcel to the victim, as shown here:



37. The victim's urinalysis report showed the presence of Fentanyl and a Fentanyl metabolite in his system, along with THC and THC metabolite.

***VII. Undercover Agent Again Purchases Fentanyl-Laced Fake Oxycodone [Count 5]***

38. After the first successful controlled purchase, the DEA undercover agent ordered *blues* from SHAPARD a second time. USPS records show that SHAPARD mailed a package to the undercover agent on February 14, 2022. Surveillance images from the post

office showed SHAPARD mailing the package:



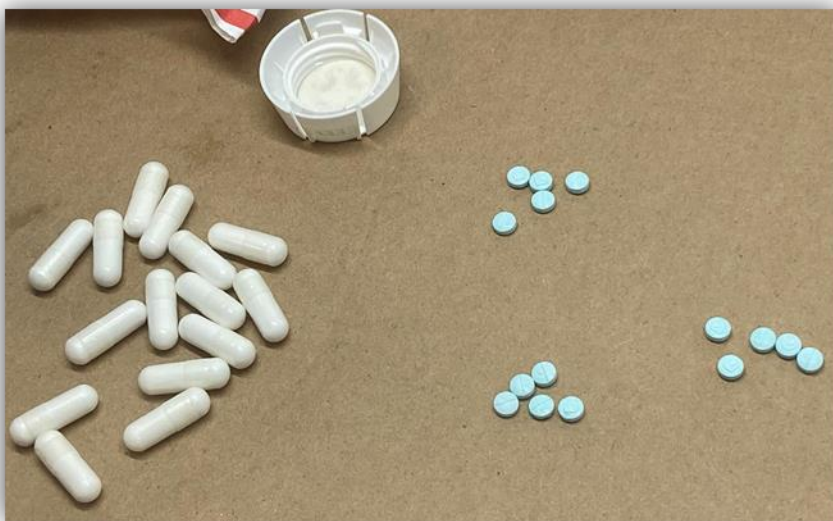
39. On February 22, 2022, USPS Postal Inspector Jared Dimick notified me that the USPS envelope (Tracking ending in xx534574) sent by SHAPARD to the undercover agent had arrived at the United States Postal Office. Here is a photograph of the parcel:



40. On this same date, I met with Postal Inspector Dimick and took custody of the USPS envelope. The USPS envelope was addressed from "Mack Cavender" with an

address on UNLV's campus in Las Vegas, Nevada. It was addressed to the undercover agent at an undercover mailing address in Salt Lake City. I transported the USPS envelope to the DEA SLCDO.

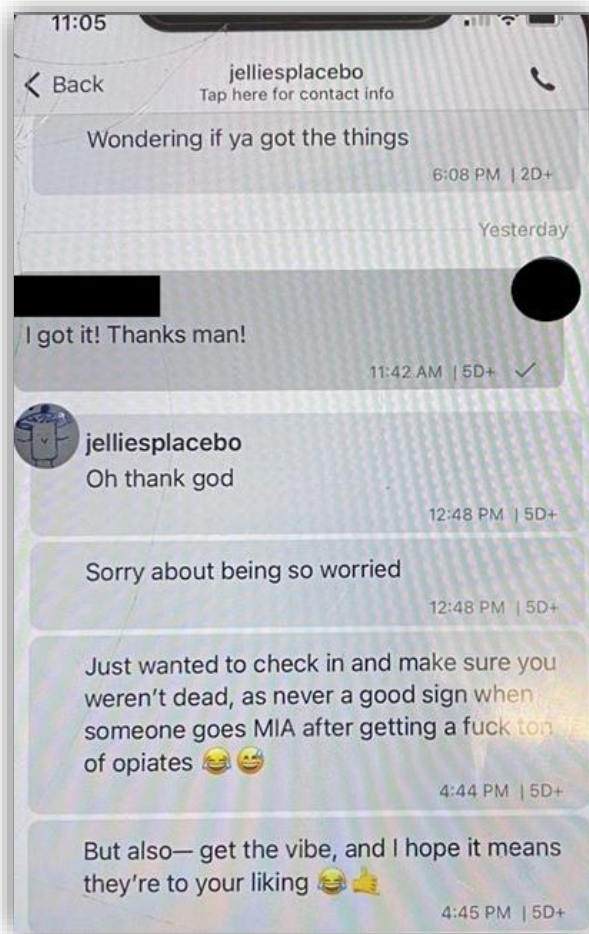
41. I opened the USPS envelope at the SLCDO, as witnessed by TFO Parker. I found a sealed Advil box inside the USPS envelope that contained a single Advil pill bottle. Inside the Advil pill bottle, I located fifteen whole blue pills with "M" imprinted on one side and "30" imprinted on the other side. The imprinted "M" and "30" markings found on the blue pills are typically indicative of Oxycodone 30mg pills. Here is a photograph of the pills:



42. The fifteen pills presumptively tested positive for fentanyl. I also located fifteen white gel capsules inside the Advil bottle. No preliminary tests were performed on the gel capsules. I processed these pills into evidence for further analysis.

43. SHAPARD sent a message to the undercover agent to see if the package arrived; when the undercover agent did not respond back over the weekend, SHAPARD appeared

to have become worried. Upon hearing the undercover agent received the package—and, by virtue of having responded, was still alive— SHAPARD expressed his relief. He wrote: “Sorry about being so worried...Just wanted to check in and make sure you weren’t dead, as [it’s] never a good sign when someone goes MIA after getting a f--- ton of opiates.”



### VIII. Third Seized Parcel [Count 6]

44. In February 2022, I was notified by USPS Postal Inspector Megan Moore that a Tooele, Utah, U.S. Post Office took possession of a priority mail envelope that had arrived at their facility. The envelope listed the sender as Colin Shapard with an address on UNLV's campus in Las Vegas, Nevada. The envelope listed the recipient as an associate of SHAPARD who resides in Tooele, Utah, who is known to law enforcement. The tracking number on the USPS envelope ended in xx635965. The envelope was sent on February 15, 2022, from a Post Office in Las Vegas, Nevada. Here is the envelope:



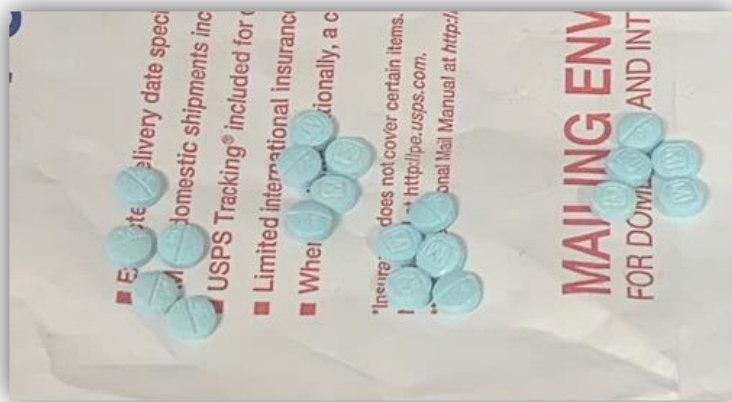
45. USPS Postal Inspector Moore sent me photographs captured by the University Post Office security camera system of the individual that sent the seized USPS package and the USPS transaction receipt. I positively identified the individual in the security camera footage as Colin SHAPARD. Here SHAPARD can be seen sending the parcel:





46. On February 18, 2022, a federal search warrant for the parcel was both authorized and executed. TFO Tyler Parker seized the parcel and executed the search warrant.

47. Inside the USPS envelope, TFO Parker observed 20 blue pills with "M" imprinted on one side and "30" imprinted on the other side. These imprinted markings are indicative of Oxycodone 30mg pills. Here are the pills:



48. These blue pills presumptively tested positive for fentanyl.

Based on the foregoing information, I respectfully request that a warrant of arrest be issued for Colin Andrew Shapard for violations of 21 U.S.C. § 841(a)(1).

/s/ Arthur Boxall  
Affiant,  
Task Force Officer Arthur Boxall

SUBSCRIBED AND SWORN to before me this 4th day of March, 2022.

  
\_\_\_\_\_  
Jared C. Bennett  
United States Magistrate Judge

APPROVED:

ANDREA T. MARTINEZ  
United States Attorney

/s/ Michael Gadd  
\_\_\_\_\_  
MICHAEL GADD  
Special Assistant United States Attorney